

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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X  
Jose Recarte individually and on behalf of others similarly  
situated,

Plaintiff(s),

-against-

Twenty-Three-One-Nought-W, LLC doing business as 2310  
Walton Avenue; Sixteen Elliot Inc. doing business as Sixteen  
Elliot Place; Martin Rooney  
Defendant(s).

18cv8534(GBD)  
INITIAL PRETRIAL  
CONFERENCE

TO: The Attorney(s) for Plaintiff(s):

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This case has been designated an electronic case and has been assigned to this Court  
for all purposes. Counsel for all parties are required to promptly register as filing "USERS" in  
accordance with the procedure for Electronic Case Filing.

Counsel for all parties are hereby directed to attend a conference at the time and place  
fixed below, for the purpose of Case Management and scheduling pursuant to Fed. R. Civ. P.  
16. You are directed to furnish all attorneys in this action with copies of this order and  
enclosures, and to furnish chambers with a copy of any transmittal letter(s). If you are unaware  
of the identity of counsel for any of the parties, you must forthwith send a copy of the notice and  
rules to that party personally.

An Initial pretrial conference will be held on **Tuesday, January 15, 2019 at 9:30 a.m.** at  
the United States District Courthouse, 500 Pearl Street, New York, New York, Courtroom 11A.

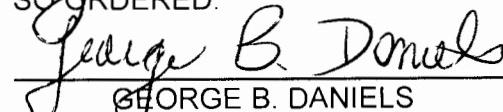
No application for adjournment will be considered unless made at least one week prior  
to the date of this initial conference.

Enclosed is a proposed Case Management Plan and Scheduling Order, pursuant to  
Rules 16 and 26(f) of the Federal Rules of Civil Procedure. Counsel for all parties are directed  
to confer regarding the proposed plan and order. If the proposed schedule is agreeable to all  
parties, counsel shall sign and file the enclosed plan and order with the Court seven (7) days  
before the date of the initial pretrial conference. If counsel agree that a different plan and  
schedule is appropriate, counsel shall sign and file a different proposed plan and schedule for  
the Court's consideration seven (7) days before the date of the pretrial conference. In the  
absence of agreement, the Court, after hearing from counsel, will order a Case Management  
Plan and schedule at the conference. Absent extraordinary circumstances, the Plan shall  
provide that the case be ready for trial within six months.

In addition to the matters covered in the Case Management Plan, counsel should also  
be prepared to address at the conference the factual and legal bases for their claims or  
defenses, any issue as to subject matter jurisdiction, and any other issue relevant to case  
management.

Dated: New York, New York  
September 24, 2018

SO ORDERED:

  
GEORGE B. DANIELS  
United States District Judge

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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Jose Recarte individually and on behalf of others  
similarly situated,

Plaintiff(s)

-against-

Twenty-Three-One-Nought-W, LLC doing business  
as 2310 Walton Avenue; Sixteen Elliot Inc. doing  
business as Sixteen Elliot Place; Martin Rooney,

Defendant(s)

-----X  
18cv8534(GBD)  
CIVIL CASE MANAGEMENT  
PLAN AND SCHEDULING ORDER

After consultation with counsel for the parties, the following Case Management Plan is adopted. This plan is also a scheduling order pursuant to Rules 16 and 26(f) of the Federal Rules of civil Procedure.

1. An Initial pretrial conference will be held on **Tuesday, January 15, 2019 at 9:30 a.m.** at the United States District Courthouse, 500 Pearl Street, New York, New York, Courtroom 11A.
2. No **Additional parties** may be joined after **April 9, 2019**.
3. No amendment to the pleadings will be permitted after **April 9, 2019**.
4. Except for good cause shown, all **discovery** shall be commenced in time to be completed by **June 11, 2019**. The court expects discovery to be completed within 90 days of the first scheduling conference unless, after the expiration of that 90 days period, all counsel stipulate that additional time (not to exceed 60 more days) is needed to complete discovery. In such event, discovery may be extended by the parties on consent, without application to the Court, provided the parties are certain they can still meet the discovery completion date ordered by the Court. The discovery completion date shall not be adjourned except upon a showing of extraordinary circumstances.
5. **Dispositive motions** are to be served by **July 9, 2019**. Answering papers are to be served within 14 days. Reply papers are to be served within seven (7) days. In the event a dispositive motion is made, the date for submitting the Joint Pretrial Order shall be changed from that shown herein to three(3) weeks from the decision on the motion. The final pretrial conference shall be adjourned to a date four (4) weeks from the decision on the motion.
6. A final **pretrial conference** will be held on **August 20, 2019 at 9:45 a.m.**
7. The **Joint Pretrial Order** shall be filed no later than **August 13, 2019**. The requirements for the pretrial order and other pretrial submissions shall be governed by the Court's Individual Rules of Practice.

8. **All motions and applications** shall be governed by the Court's Individual Rules of Practice.
9. The parties shall be **ready for trial** within 48 hours, notice on or after **September 10, 2019**. The estimated trial time is \_\_\_\_\_ days, and this is a (jury)(non-jury) trial.
10. **A Subsequent Case Management Conference** will be held on **May 14, 2019 at 9:45 a.m..**

Dated: September 24, 2018  
New York, New York

SO ORDERED:

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George B. Daniels  
United States District Judge

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Attorney for Plaintiff(s)

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Attorney for Defendant(s)